



PUBLIC NOTICE

File Number: NR15MS.011

Pursuant to Chapter 0400-40-07 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Mr. Ronald N. Helton, Vice President Operations
Kopper Glo Mining, LLC
P. O. Box 203
Clairfield, TN 37715

LOCATION: Cooper Ridge Surface Mine
Rock Creek Ridge Road
Clairfield, TN
Latitude: 36.55517, Longitude: -83.88651

PROJECT DESCRIPTION/PURPOSE: Kopper Glo Mining, LLC has applied for an Individual Aquatic Resource Alteration Permit for the proposed Cooper Ridge Surface Mine. The proposed stream alterations include restoration and enhancement of streams previously disturbed by mining and alterations to wetlands that have developed due to mining related disturbances to the surface hydrology.

The project site has been evaluated and the supporting plans developed to avoid and minimize any new impacts to waters. Six streams and seven wet weather conveyances have been identified within the proposed permit area as having been altered by previous mining related activities (permitted and pre-law). These waters have been intercepted and diverted by the previous mining activities. Contemporaneously with mining and reclamation activities, Kopper Glo proposes to restore surface flow to the natural drainage corridors and re-establish stream geomorphology, aquatic habitat and riparian zones in the wet weather conveyances and stream reaches previously affected by mining.

Approximately 3.55 acres of wetlands that have developed due to pre-law alterations of the surface hydrology will be eliminated. Kopper Glo proposes to convert approximately 11.47 acres of sediment treatment structures on site to wetlands as the site is reclaimed such that no net loss of wetlands occurs.

The proposed activities are projected to result in only minimal alteration of waters which are addressed in the submitted plans.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the Division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED/WATERBODY DESCRIPTION: The affected stream reaches are unnamed tributaries in the Clear Fork Cumberland River watershed (HUC 051301010601).

Stream Name/ID #: Unnamed Tributary to Nolan Branch/TN051301010601
ARAP channel 1, 1A, 1B

Impacts: Stream restoration and enhancement

Ecoregion: Cumberland Mountain Thrust Block ecoregion 69E

Stream Name/ID #: Eleven Unnamed Tributaries to Valley Creek/TN051301010601
ARAP channels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12

Impacts: Stream restoration and enhancement

Ecoregion: Cumberland Mountain Thrust Block ecoregion 69E

Stream Name/ID #: Unnamed Tributary to Hurricane Creek/TN051301010601
ARAP channel 13

Impacts: Stream restoration and enhancement

Ecoregion: Cumberland Mountain Thrust Block ecoregion 69E

PERMIT COORDINATOR: Dan Murray

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the Division will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The Division shall consider practicable alternatives to the alteration. The Division shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the Division's address for file review and to the attention of the permit coordinator. You may also comment via email to water.permits@tn.gov.

PUBLIC HEARING: The Division will conduct a public hearing for the proposed Aquatic Resource Alteration Permit/§401 Water Quality Certification. The Division will also take comments on the draft §402/NPDES permit associated with the proposed activities when the hearing is scheduled. The hearing will be coordinated to include the participation of the U.S. Army Corps of Engineers (USACE), the Office of Surface Mining Reclamation and Enforcement (OSMRE), the U.S. Fish and Wildlife Service (USFWS), and the Tennessee Wildlife Resources Agency (TWRA).

APPEAL: Please be advised that a petition for permit appeal may be filed, pursuant to *T.C.A. Section 69-3-105, subsection (i)* and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas. A copy of the filing should also be sent to TDEC's Office of General Counsel. The mailing addresses follow:

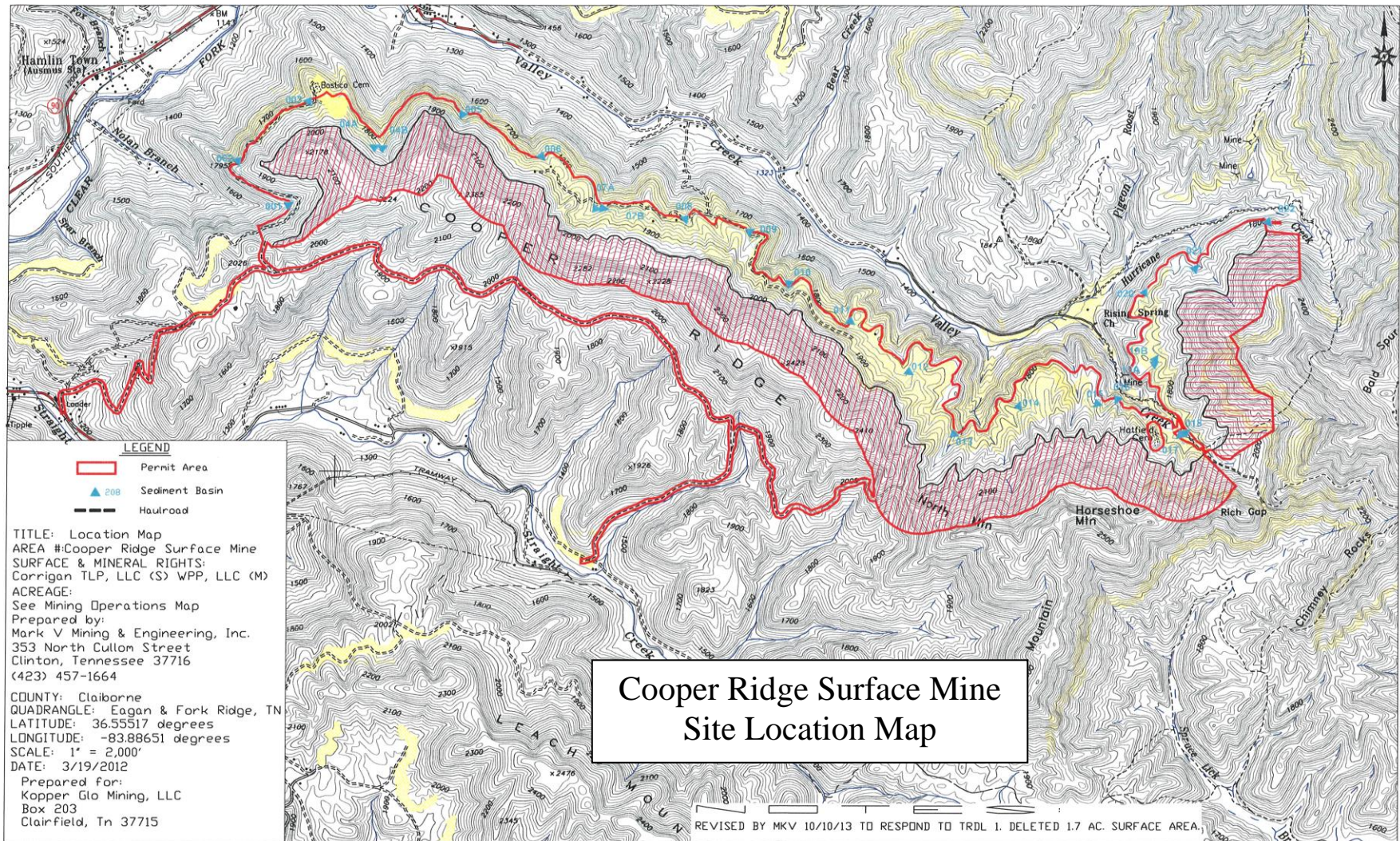
Tisha Calabrese Benton
Acting Technical Secretary
Board of Water Quality, Oil and Gas
William R. Snodgrass TN Tower
312 Rosa L. Parks Avenue, 12th Floor
Nashville, TN 37243-1102

Mr. E. Joseph Sanders, Chief Counsel
Office of General Counsel
William R. Snodgrass TN Tower
312 Rosa L. Parks Avenue, 2nd Floor
Nashville, TN 37243-1102

Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available for review on the internet at the department's data viewer at <http://tn.gov/environment/article/wr-water-resources-data-viewer>. The file may be viewed in person at the Department's address (listed below) for review and/or copying.

Kara Blevins (865-594-5460)
Tennessee Department of Environment & Conservation
Division of Water Resources
Mining Section
3711 Middlebrook Pike
Knoxville, TN 37921-6538



ARAP Channel Table

1

Stream Channel Identification	Classification	Existing Disturbed Length (feet)	Undisturbed Length (feet)	Restored Length (feet)	Additional Information
ARAP-1	WWC	581	0	350	ARAP-1, 1A, and 1B are being constructed in the locations of JD-1.
ARAP-1A	WWC			312	
ARAP-1B	WWC			285	
ARAP-2	WWC	328	214	568	ARAP to be constructed at location of JD-34.
ARAP-3	Stream	32	201	216	ARAP to be constructed at location of JD-3.
ARAP-4	WWC	633	0	933	ARAP to be constructed at location of JD-5.
ARAP-5	N/A	N/A	N/A	823	ARAP to be constructed at location of JD-10.
ARAP-6	Stream	164	348	682	ARAP to be constructed at location of JD-36.
ARAP-7	Stream	483	48	525	ARAP to be constructed at location of JD-13, 14, and 15, restoring stream to the natural location.
ARAP-8	WWC	212	276	684	ARAP to be constructed above JD-22, restoring the WWC to it's natural location.
ARAP-9	Stream	921	0	843	ARAP to be constructed to restore JD-23 to it's natural location.
ARAP-10	WWC	120	269	621	ARAP to be constructed at location of JD-25.

ARAP Channel Table

2

Stream Channel Identification	Classification	Existing Disturbed Length (feet)	Undisturbed Length (feet)	Restored Length (feet)	Additional Information
ARAP-11	Stream	576	277	670	ARAP to be constructed at location of JD-26 and 27, restoring stream to it's natural location.
ARAP-12	WWC	727	138	849	ARAP to be constructed at location of JD-28, restoring channel to it's natural location.
ARAP-13	Stream	127	813	935	ARAP to be constructed at location of JD-30, restoring stream to it's natural location.
Total Stream Restored & Enhanced = 3,871 Feet					
Total WWC Restored & Enhanced = 5,425 Feet					

NOTE: WWC denotes wet weather conveyance.

Kopper Glo Mining, LLC
Cooper Ridge Surface Mine

Anticipated Wetland Areas

OSM 3270

Sediment Basin No.	Projected Wetland Area (Acres)
001	0.60
002	0.31
003	0.38
04A	0.44
04B	0.28
005 PM	0.31
006	0.60
07A	0.37
07B	0.56
008	0.40
009	0.36
010	0.31
011	0.40
012	0.53
013	0.89
014	0.68
015	0.30
016	0.73
017	0.39
018	0.23
19A	0.46
19B	0.62
020	0.36
021	0.54
025	0.42
Total	11.47